

Article - Education

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§3–1002.

(a) (1) In this subtitle the following words have the meanings indicated.

(2) “Appointed member” means a member of the Prince George’s County Board appointed under subsection (f) of this section.

(3) “Elected member” means a member of the Prince George’s County Board elected from one of the nine school board districts described in § 3–1001 of this subtitle.

(b) The Prince George’s County Board consists of 14 members as follows:

(1) Nine elected members, each of whom resides in a different school board district;

(2) Four appointed members; and

(3) One student member selected under subsection (g)(2) of this section.

(c) (1) One member of the county board shall be elected from each of the nine school board districts described in § 3–1001 of this subtitle.

(2) From the time of filing as a candidate for election, each candidate shall be a registered voter of the county and a resident of the school board district the candidate seeks to represent.

(3) An elected county board member shall forfeit the office if the member:

(i) Fails to reside in the school board district from which the member was elected, unless this change is caused by a change in the boundaries of the district; or

(ii) Fails to be a registered voter of the county.

(4) A county board member may not hold another office of profit in county government during the member’s term.

(5) Each elected member of the county board shall be nominated by the registered voters of the member's school board district.

(d) The elected members of the county board shall be elected:

(1) At the general election every 4 years as required by subsection (h) of this section; and

(2) By the voters of the school board district that each member represents.

(e) (1) If a candidate for the county board dies or withdraws the candidacy during the period beginning with the date of the primary and ending 70 days before the date of the general election, the Board of Elections shall:

(i) Replace the name of the deceased or withdrawn candidate on the ballot for the general election with the name of the candidate who received the next highest number of votes in the primary election; or

(ii) If a contested primary was not held, reopen the filing process to allow other persons to file as candidates.

(2) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, the Board of Elections shall add to the ballot for the general election the name of any person who files as a candidate in accordance with paragraph (1)(ii) of this subsection.

(ii) The Board of Elections may not add additional candidates to the ballot for the general election within 70 days before the date of the election.

(f) (1) The appointed members of the county board shall be appointed as follows:

(i) Three members shall be appointed by the County Executive of Prince George's County as follows:

1. One member shall possess a high level of knowledge and expertise concerning education;

2. One member shall possess a high level of business, finance, or higher education experience; and

3. One member shall possess a high level of knowledge and expertise concerning the successful administration of a large business, nonprofit, or governmental entity; and

(ii) The Prince George's County Council shall appoint one member who is a parent of a student enrolled in the Prince George's County public school system as of the date of the appointment of the member.

(2) Each appointed member of the county board shall be a resident of Prince George's County.

(g) (1) The student member shall be an eleventh or twelfth grade student in the Prince George's County public school system during the student's term in office.

(2) An eligible student shall file a nomination form at least 2 weeks before a special election meeting of the Prince George's Regional Association of Student Governments. Nomination forms shall be made available in the administrative offices of all public senior high schools in the county, the office of student concerns, and the office of the president of the regional association. The delegates to the regional association annually shall elect the student member to the board at a special election meeting to be held each school year.

(3) The student member may vote on all matters before the board except those relating to:

(i) Capital and operating budgets;

(ii) School closings, reopenings, and boundaries;

(iii) Collective bargaining decisions;

(iv) Student disciplinary matters;

(v) Teacher and administrator disciplinary matters as provided under § 6-202(a) of this article; and

(vi) Other personnel matters.

(4) On an affirmative vote of a majority of the elected and appointed members of the county board, the board may determine if a matter before the board relates to a subject that the student member may not vote on under paragraph (3) of this subsection.

(5) Unless invited to attend by an affirmative vote of a majority of the elected and appointed members of the county board, the student member may not attend an executive session that relates to hearings on appeals of special education placements, hearings held under § 6–202(a) of this article, or collective bargaining.

(6) The Prince George's Regional Association of Student Governments may establish procedures for the election of the student member of the county board.

(7) The election procedures established by the Prince George's Regional Association of Student Governments are subject to the approval of the elected and appointed members of the county board.

(h) (1) Except as provided in paragraph (2) of this subsection, an elected member serves for a term of 4 years beginning on the first Monday in December after the member's election and until the member's successor is elected and qualifies.

(2) The terms of the elected members are staggered as follows:

(i) The five elected members who received the lowest percentage of votes, as determined by the final vote count of the 2010 General Election as certified by the Board of Elections, shall serve for a term of 2 years; and

(ii) The other four members elected in the 2010 General Election shall serve for a term of 4 years.

(3) Except as provided in paragraph (4) of this subsection, an appointed member:

(i) Serves for a term of 4 years beginning on the date of appointment;

(ii) May be reappointed; and

(iii) Serves until a successor is appointed and qualifies.

(4) The terms of the appointed members are staggered as follows:

(i) The members appointed under subsection (f)(1)(i)1 and 2 of this section on or before June 1, 2013, shall serve for an initial term of 4 years; and

(ii) The member appointed under subsection (f)(1)(i)3 and (ii) of this section on or before June 1, 2013, shall serve for an initial term of 2 years.

(5) The student member serves for a term of 1 year beginning at the end of a school year.

(6) (i) Subject to subparagraph (ii) of this paragraph, if a seat held by an elected member of the county board becomes vacant, the County Executive shall:

1. Appoint a qualified individual to fill the seat for the remainder of the term; and

2. Transmit the name of the appointee to the clerk of the County Council.

(ii) If the County Council does not disapprove an appointment under subparagraph (i) of this paragraph by a two-thirds vote of all members of the County Council within 45 days after the transmittal of the name of the appointee, the appointment shall be considered approved.

(i) (1) With the approval of the Governor, the State Board may remove a member of the county board for any of the following reasons:

(i) Immorality;

(ii) Misconduct in office;

(iii) Incompetency; or

(iv) Willful neglect of duty.

(2) Before removing a member, the State Board shall send the member a copy of the charges pending and give the member an opportunity within 10 days to request a hearing.

(3) If the member requests a hearing within the 10-day period:

(i) The State Board promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Board sends the member a notice of the hearing; and

(ii) The member shall have an opportunity to be heard publicly before the State Board in the member's own defense, in person or by counsel.

(4) A member removed under this subsection has the right to judicial review of the removal by the Circuit Court for Prince George's County based on an

administrative record and such additional evidence as would be authorized by § 10–222(f) and (g) of the State Government Article.

(j) While serving on the county board, a member may not be a candidate for a public office other than a position on the county board.

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